

1 **SENATE RESOLUTION NO. 52**

2 (By Senators Hall, Edgell, Plymale, Stollings, Minard, Sypolt and
3 Browning)

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7 Urging the members of the West Virginia delegation to the United
8 States Congress to: (1) Adopt legislation prohibiting the
9 EPA, by any means necessary, from regulating greenhouse gas
10 emissions, including if necessary defunding EPA greenhouse gas
11 regulatory activities; (2) impose a moratorium on promulgation
12 of any new air quality regulation by the EPA by any means
13 necessary, except to directly address an imminent health or
14 environmental emergency, for a period of at least two years,
15 including defunding EPA air quality regulatory activities; and
16 (3) require the Obama administration to undertake a study
17 identifying all regulatory activity that the EPA intends to
18 undertake in furtherance of its goal of "taking action on
19 climate change and improving air quality" and specifying the
20 cumulative effect of all of these regulations on the economy,
21 jobs and American economic competitiveness.

22 Whereas, The United States Environmental Protection Agency
23 (EPA) has proposed or is proposing numerous new regulations,
24 particularly in the area of air quality and regulation of
25 greenhouse gases, that are likely to have major effects on the

1 economy, jobs and U.S. competitiveness in worldwide markets; and

2 Whereas, The EPA's regulatory activity as to air quality and
3 greenhouse gases has become known as the "train wreck" because of
4 the numerous and overlapping requirements and because of the
5 potentially devastating consequences this regulatory activity may
6 have on the economy; and

7 Whereas, Concern is growing that, with cap-and-trade
8 legislation having failed in Congress, the EPA is attempting to
9 obtain the same results through the adoption of regulations; and

10 Whereas, EPA over-regulation is driving jobs and industry out
11 of America; and

12 Whereas, Neither the EPA nor the Administration has undertaken
13 any comprehensive study of what the cumulative effect of all of
14 this new regulatory activity will have on the economy, jobs and
15 competitiveness; and

16 Whereas, The EPA has not performed any comprehensive study of
17 what the environmental benefits of its greenhouse regulation will
18 be in terms of impacts on global climate; and

19 Whereas, State agencies are routinely required to identify the
20 costs of their regulations and to justify those costs in light of
21 the benefits; and

22 Whereas, Since the EPA has identified "taking action on
23 climate change and improving air quality" as its first strategic
24 goal for the 2011-15 time period, the EPA should be required to
25 identify the specific actions it intends to take to achieve these

1 goals and to assess the total cost of all these actions together;
2 and

3 Whereas, The Legislature supports continuing improvements in
4 the quality of the nation's air and believes that such improvements
5 can be made in a sensible fashion without damaging the economy so
6 long as there is a full understanding of the cost of the
7 regulations at issue; and

8 Whereas, The primary goal of government at the present time
9 must be to promote economic recovery and to foster a stable and
10 predictable business environment that will lead to the creation of
11 jobs; and

12 Whereas, Public health and welfare will suffer without
13 significant new job creation and economic improvement, because
14 people with good jobs are better able to take care of themselves
15 and their families than the unemployed and because environmental
16 improvement is only possible in a society that generates wealth;
17 therefore, be it

18 *Resolved by the Senate:*

19 That the members of the West Virginia delegation to the United
20 States Congress are urged to: (1) Adopt legislation prohibiting
21 the EPA by any means necessary from regulating greenhouse gas
22 emissions, including if necessary defunding EPA greenhouse gas
23 regulatory activities; (2) impose a moratorium on promulgation of
24 any new air quality regulation by the EPA by any means necessary,
25 except to directly address an imminent health or environmental

1 emergency, for a period of at least two years, including defunding
2 EPA air quality regulatory activities; and (3) require the Obama
3 administration to undertake a study identifying all regulatory
4 activity that the EPA intends to undertake in furtherance of its
5 goal of "taking action on climate change and improving air quality"
6 and specifying the cumulative effect of all of these regulations on
7 the economy, jobs, and American economic competitiveness; and, be
8 it

9 *Further Resolved*, That this study should be a multiagency
10 study drawing on the expertise both of the EPA and of agencies and
11 departments having expertise in and responsibility for the economy
12 and the electric system and should provide an objective
13 cost-benefit analysis of all of the EPA's current and planned
14 regulation together; and, be it

15 *Further Resolved*, That the Clerk is hereby directed to forward
16 a copy of this resolution to members of the West Virginia
17 Congressional Delegation and the President of the United States.